

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

|  |         |                       |
|--|---------|-----------------------|
| IN RE: Ruby Delgado<br>Carlos R. Jimenez |         | CHAPTER 13            |
|  | Debtors |                       |
| The Money Source Inc.                    |         |                       |
|  | Movant  |                       |
| vs.                                      |         | NO. 18-14404 PMM      |
| Ruby Delgado<br>Carlos R. Jimenez        |         |                       |
|  | Debtors |                       |
| Scott F. Waterman                        |         | 11 U.S.C. Section 362 |
|  | Trustee |                       |

**MOTION OF THE MONEY SOURCE INC.  
FOR RELIEF FROM THE AUTOMATIC STAY  
UNDER SECTION 362**

1. Movant is The Money Source Inc.
2. Debtors are the owners of the premises 711 Hay Road , Temple, PA 19560, hereinafter referred to as the mortgaged premises.
3. Movant is the holder of a mortgage, original principal amount of \$166,920.00 on the mortgaged premises that was executed on May 20, 2016. Said mortgage was recorded on July 1, 2016 at Instrument No. 2016022601. The Mortgage was subsequently assigned to Movant by way of Assignment of Mortgage recorded on April 22, 2020, at Instrument No. 2020013444 in Berks County. Documentation attached hereto as Exhibit A is provided in support of right to seek a lift of stay and foreclose if necessary.
4. Scott F. Waterman, is the Trustee appointed by the Court.
5. The commencement and/or continuation of the mortgage foreclosure proceedings by reason of non-payment of monthly mortgage payments were stayed by the filing of a Chapter 13 Petition in Bankruptcy by the Debtors.
6. Debtors have failed to make the monthly post-petition mortgage payments in the amount of \$1,091.86 for the months of March 2019 through October 2019 and \$1,109.94 for the months of November 2019 through April 2020.

7. The total amount necessary to reinstate the loan post-petition, less suspense balance of \$73.72 is \$15,320.80.

8. Movant is entitled to relief from the automatic stay for cause pursuant to 11 U.S.C. § 362(d).

9. This motion and the averments contained therein do not constitute a waiver by Movant of its right to seek reimbursement of any amounts not included in this motion, including fees and costs, due under the terms of the mortgage and applicable law.

WHEREFORE, Movant prays that an Order be entered modifying the Stay and permitting Movant to proceed with its mortgage foreclosure on the mortgaged premises, and to allow the Sheriff's Grantee to take any legal action to enforce its right to possession of the mortgage premises. Further, Movant prays that an Order be entered awarding Movant the costs of this suit, reasonable attorney's fees in accordance with the mortgage document and current law together with interest.

**/s/ Rebecca A. Solarz, Esquire**

Rebecca A. Solarz, Esquire

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